

Express Mail No. EV475141440US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et al. Confirmation No.: 9370

Serial No.: 10/520,031; National Stage of Art Unit: To be assigned
PCT Application No.
PCT/US03/020504

Filed: June 27, 2003 Examiner: To be assigned

For: METHODS TO ASSESS Attorney Docket No.: 9301-159
QUALITY OF MICROARRAYS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("Notification"), mailed June 13, 2005, and in connection with the above-identified application, Applicants submit herewith: (1) a copy of the Notification; (2) Declaration for Non-Provisional Patent Application in three counterparts executed by the inventors Matthew Marton, Michael Meyer and Allan Jones on July 26, 2005, August 2, 2005 and August 8, 2005, respectively; (3) an executed Power of Attorney by Assignee; (4) a copy of the executed Assignment (in three counterparts) being submitted for recordation on even date herewith; (5) Sequence Listing in written and computer readable forms; (6) Preliminary Amendment; and (7) Amendment Fee Sheet.

No fee is believed due for this submission, since a surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date was authorized to be charged to the deposit account of Attorneys for Applicants in the

Transmittal Letter to the U.S. Designated/Elected Office (Form PTO-1390) filed on December 27, 2004. However, if the Patent and Trademark Office determines otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: August 15, 2005

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)
JONES DAY
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New York, New York 10017
Phone: (212) 326-3939



-Rec'd PCT/PTO 15 AUG 2005

Express Mail No. EV475141440US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et al.

Confirmation No. 9370

Application No.: 10/520,031; National stage of
International Application No.: PCT/US03/20504

Group Art Unit: Not Yet Assigned

Filed: June 27, 2003

Examiner: Not Yet Assigned

For: METHODS TO ASSESS QUALITY OF
MICROARRAYS

Attorney Docket No.: 9301-159

FEE TRANSMITTAL SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$50.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID	PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL 70	MINUS 69	1	x 25	\$		x 50	\$ 50.00
INDEP. 4	MINUS 4	0	x 100	\$		x 200	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				\$		\$	0.00
			TOTAL	\$	OR	TOTAL	\$ 50.00

Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

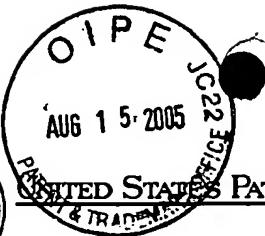
Date: August 15, 2005

Respectfully submitted,

Adriane M. Antler 32,605
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Enclosure



08-17-05

Page 1 of 2

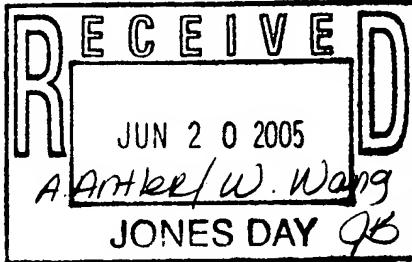
PCT

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,031 ✓	Matthew Marton	9301-159 ✓

20583
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INTERNATIONAL APPLICATION NO.

PCT/US03/20504

I.A. FILING DATE	PRIORITY DATE
06/27/2003	06/28/2002

CONFIRMATION NO. 9370
371 FORMALITIES LETTER
OC000000016257862
OC000000016257862

Date Mailed: 06/13/2005

*Oath/Dec/Fee + Seq. List due 8/13/05***NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/27/2004
- Copy of the International Search Report filed on 12/27/2004
- Oath or Declaration filed on 12/27/2004
- Biochemical Sequence Listing filed on 12/27/2004
- Request for Immediate Examination filed on 12/27/2004
- U.S. Basic National Fees filed on 12/27/2004

RECEIVED
JUN 23 2005
ADRIANE M. ANTLEH

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is

identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,031	PCT/US03/20504	9301-159

FORM PCT/DO/EO/905 (371 Formalities Notice)